

**Remarks of Chairman Henry J. Hyde
Before the Full Committee**

The U.S.-India 'Global Partnership': The Impact on Nonproliferation

**Wednesday, October 26, 2005
Room 2172 Rayburn House Office Building**

President Bush has repeatedly said that preventing the spread of nuclear weapons is the most important challenge facing our world. No responsible person can dissent from that statement as the consequences of failure are beyond measure and constitute not merely a threat to our national survival but to civilization itself.

For there is no margin for miscalculation. Unwarranted hopes, cavalier guesses, and needless haste are likely only to speed our progression toward destruction. Every proposed change to U.S. or global nonproliferation policy requires the closest scrutiny. No grandly awaited triumph, no dream of fame, no nervous urgency, no insistent explanation can be allowed to encourage us to knowingly undertake needless risks, to summon Armageddon.

It is to ensure that we give sufficient respect to this reality that today's hearing is being held. The Administration's recently announced "global partnership" with India is, in itself, to be welcomed. For too long, our two countries have been opposed to one another for reasons that have little grounding in any objective factor and have been blind to the logic of their own interests. I will refrain from casting blame on either side, and will say only that I hope we are now past the era of squandered opportunities.

This agreement outlines many areas for joint action, from space to the environment to the promotion of democracy. But by far its most significant provision is that concerning cooperation on civilian nuclear energy. For any country, such an endeavor would be of enormous consequence and require considerable deliberation. I might point out that a similar agreement with China took 13 years to come fully into force. But for India, this potential cooperation carries with it a special significance as it cannot proceed without our restructuring long-standing U.S. and global nonproliferation policy.

To implement the nuclear cooperation elements of the agreement, Congressional assent must be obtained in the form of amending the relevant laws now forbidding such cooperation with India and other countries which are not in compliance with key nonproliferation practices and conventions. Given the primacy of this subject, and the many unknowns surrounding the overall agreement, there is much work to be done before that assent can be given.

I would like to address the subject of process in order to avoid any misunderstanding that might arise. Let me begin by stating for the record that I have as yet come to no settled conclusions regarding the merits of this aspect of the agreement and hope that I speak for the Members of this Committee in stating that I plan to seek the input of many different sources before I can feel the requisite confidence in doing so. This panel today, and others to follow, is part of that process of consideration as we seek the analyses of experts long practiced in this arcane subject and solicit their recommendations for how the Congress might best consider the agreement and any modifications that may be required.

For these reasons, it would be grossly irresponsible for this Committee and for the Congress as a whole to act with unnecessary haste regarding a subject which can bear no false steps.

I am both gratified and concerned by statements from the Administration regarding this process. Although this Committee and the Congress as a whole have received little if any information from the Administration regarding either the details of its ongoing discussions with the Indian government or the legislation it plans to introduce, I am certain that this oversight will soon be corrected. As it stands, the situation is both strange and unusual in that the Indian authorities know more about this important proposal than we in Congress. However, I trust that this will soon be ameliorated.

Clearly, there is ample time for extensive consultations to be held as I am aware of no pressing deadline for action. I was pleased to hear Under Secretary Burns state at our last hearing that the Administration plans to work closely with this Committee and not seek to circumvent it in favor of a more hasty, unconsidered and, frankly, quite dangerous approach. These same points were conveyed in a recent letter to Secretary Rice that was signed by the

Chairmen and Ranking Members of our Committee and those of the Senate Foreign Relations Committee.

Having said that, I am troubled by a number of public statements by Administration officials that Congressional support for the overall agreement is broad and that our consent is virtually guaranteed. I do not understand how these statements could be made with Congress having yet to be fully consulted. I know that I have not been. I attribute these to a robust confidence that the legislative and executive branches can find a mutually acceptable approach, an expectation that I fully share.

But it is important to keep in mind that, although the Executive Branch has wide latitude to conclude agreements with countries, it is the province of the Congress to make or amend laws. Our responsibilities to the American people and to posterity simply will not permit any course other than a full and complete consideration of the many profound consequences, both those obvious and those not readily revealed to impatient eyes.

Now let me turn to my friend, Mr. Lantos, the distinguished Ranking Democratic Member, for any comments he may wish to make.